

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JAY JOHNSON

&

INDEPENDENT SOLAR SUPPLY
AKA INDEPENDENT SOLAR SYSTEMS
AKA INDEPENDENT SOLAR LLC

RESPONDENTS.

:
:
: NOTICE OF FORFEITURE
: & RIGHT TO REQUEST
: HEARING

:
:
: **ORDER 00087 13**
:
:
:

:
: Case # 21 COM 134

TO: Jay Johnson
c/o Attorney Earl Luaders
Wolf River Lawyers
P.O. Box 200
W9681 State Hwy 96
Dale, WI 54931

Re: UNLICENSED ELECTRICAL WORK

You are hereby notified that you are subject to a forfeiture of **\$5,000.00** in accordance with Wis. Stat. § 101.88(3) because you engaged in electrical work without possessing the necessary credential in violation of Wis. Stat. § 101.862(2) and because you engaged in the business of installing, repairing, or maintaining electrical wiring without being licensed as an electrical contractor by the department in violation of Wis. Stat. § 101.862(1). This forfeiture must be paid within 30 days of the date of mailing of this Notice. In addition, you shall not be able to obtain an electrical credential from the Department of Safety and Professional Services until this forfeiture is paid as allowed by Wis. Stat. § 440.21(2).

The forfeiture of **\$5,000.00** shall be made out to the "Department of Safety and Professional Services." Include in the memo line "21 COM 134" and send to the following address:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
4822 Madison Yards Way
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

You are receiving this forfeiture because a Department investigation found you performed electrical work at N2276 Frankie Road Mauston, Wisconsin 53948 without possessing any electrical license. A license is required in the State of Wisconsin to perform most electrical work including the work you and your company performed. An investigation by the Department found a preponderance of evidence that you engaged in electrical work. This is a violation of Wis. Stat. § 101.862(2).

Second, the Department found that you and your company held your business out as a business engaged in electrical work without possessing an electrical contractor credential. Every day where you hold yourself out as a business engaging in installing, repairing, or maintaining electrical wiring is considered a violation a Wis. Stat. § 101.862(1). The Department finds that you were engaging in electrical business when you provided the invoice to the property owner of N2276 Frankie Road, when you and your company installed the solar panels at the site, and when you fraudulently signed the Oakdale Electric Cooperative Wiring Affidavit representing that you were an electrical contractor and improperly putting down your dwelling contractor qualifier credential number.

The Department also finds that your website, (<https://independent-solar.com/>), offering solar panels to the public is a violation of Wis. Stat. § 101.862(1). The Department reviewed a video on your website where you indicate that you are a "full-service solar installer." Further, the video states that "Our Independent Solar Technicians include all permits & inspections..." The Department found that the website listed eight projects in the "portfolio" section showcasing electrical work. Last, the Department performed an internet search and found 42 separate google reviews concerning the work performed which are also linked to your website.

In response to this investigation you stated you denied installing solar panels and that you worked with licensed contractors for the installation. The Department's investigation found that on N2276 Frankie Road you performed the installation and that a licensed electrician came to inspect the site to sign off on the paperwork. Further, the google reviews make clear that you performed the services. A review from Patrick McGuire states "Jay did the whole job without getting any permits, despite saying that he did... He missed his scheduled appointment 2 times before finally showing up. I had to ask him multiple times where the remaining 2 panels were before he finally told me that he has put them in his truck and was going to take them. When his crew left, they took much of the remaining usable equipment (rails, spare wire, etc.) but left trash all over my garage (a large wood pallet, piles of plastic wrapping, etc.)"

According to Wis. Stat. § 101.88(3) any person who violates subchapter IV of Chapter 101 or any rule promulgated under subchapter IV shall forfeit to the state not less than \$25 nor more than \$500 for each violation and each day of violation constitutes a separate offense. Minimally, the Department finds one (1) violation of Wis. Stat. § 101.862(2) and ten (10) violations of Wis. Stat. 101.862(1). The Department finds that §101.862(1) is being violated each day after the signing of this Order until an electrical contractor credential is obtained and/or the website continues to omit information that alerts the public that Independent Solar is not an electrical contractor and does not have licensed electricians on staff.

You have the right to request a hearing on this matter by sending a request for hearing to the Department of Safety and Professional Services, Chief Legal Counsel, P.O. Box 7190, Madison, Wisconsin 53707-7190, which must be received by the Department no later than 30 days from the date of mailing of this Notice. Any review will be held in accordance with the requirements set forth in Wis. Stat. § 101.02(6). Such request for review shall set out specifically and in full detail every reason why this order is unreasonable, and every issue to be considered by the Department in the review.

The Department is authorized to enter forfeitures up to \$500 for each violation of Wisconsin electrical statute or code. For engaging in electrical work without the proper credential and for engaging in electrical business without possessing an electrical contractor credential the forfeiture of \$5,000.00 is assessed in accordance with Wis. Stat. § 101.88(3).

Dated at Madison, Wisconsin on 21 August, 2023.

Aloysius Rohmeyer

Aloysius Rohmeyer
General Counsel
Department of Safety and Professional Services
P.O. Box 8368
Madison, WI 53708-8368